

NO. PD-0577-18
IN THE COURT OF CRIMINAL APPEALS
OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
1/10/2019
DEANA WILLIAMSON, CLERK

STEVEN CURRY

APPELLANT

VS.

THE STATE OF TEXAS

APPELLEE

**On Petition For Discretionary Review from
The First Court of Appeals
In No. 01-17-00421-CR Affirming
The 263rd Criminal District Court of
Harris County, Texas, Cause No. 1528845,
Honorable Jim Wallace, Judge Presiding**

**APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF**

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**APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF**

TO THE HONORABLE JUSTICES OF THE COURT OF CRIMINAL APPEALS:

Comes now Steven Curry, Appellant, and files this motion for an extension of 45 days in which to file Appellant's Brief. In support of this motion, Appellant shows the court the following:

1.

On May 8, 2018, the First Court of Appeals affirmed Appellant's convictions for Accident Involving Injury – Failure To Stop And Render Aid in an opinion.

2.

This Court granted Appellant's Petition For Discretionary Review on December 12, 2018. The deadline for filing the Appellant's Brief is January 11, 2019. A period of 15 days from that date has not elapsed before the filing date of this motion. The Appellant has not requested an extension prior to this request.

3.

Appellant requests an extension of time to file the Appellant's Brief because Appellant's counsel had to prepare for the following felony jury trial in the 300th District Court of Brazoria County in Cause No. 84757-CR **State v. Poppinga** for January 14, 2019 and is also preparing for a felony jury trial in the 149th District Court of Brazoria County in Cause No. 82916-CR **State v. Moorman** for January 22, 2019.

Additionally, Appellant's counsel was on a family vacation for a week during the Christmas holidays, and is presently working on the Appellant's Brief in 14-18-00099-CR in **Zachary Foyt** which is due on February 14, 2019 after one extension.

4.

On January 10, 2019, Appellant's counsel conferred with opposing counsel who indicated there was no opposition to this request for an extension of time.

Wherefore, Appellant prays the court grant this motion and extend the deadline for filing Appellant's Brief to February 15, 2019.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I do hereby certify that on this the 10TH day of January 2019, a true and correct copy of the Appellant's Unopposed Motion For Extension Of Time To File Appellant's Brief was delivered to the Assistant District Attorney of Harris County, Texas by email at mccrory_daniel@dao.hctx.net and the State Prosecuting Attorney, P.O. Box 12405 Austin, Texas 78711 at information@spa.texas.gov

/s/ Crespin Michael Linton
Crespin Michael Linton

CERTIFICATE OF SERVICE

I do hereby certify that on this the 10TH day of January 10, 2019, I have conferred with the State Prosecuting Attorney and Daniel McCrory with the Harris County District Attorney's Office who indicated that this motion is unopposed.

/s/ Crespin Michael Linton
Crespin Michael Linton

ORDER

On this the ____ day of _____, 2019, came to be heard Appellant's Unopposed Motion For Extension Of Time To File Appellant's Brief, and it appears to the Court that this motion should be:

GRANTED

DENIED

IT IS THEREFORE ORDERED that the time for filing Appellant's Brief be extended to _____, 2019.

JUSTICE PRESIDING